



78/118

01-08-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #73

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESS TO THE COMMISSIONER FOR TRADEMARKS, 2900CRYSTAL DRIVE, ARLINGTON, VA 22202-3513 ON THE DATE INDICATED BELOW

BY: *Lynn E. Bzonca*
DATE: Jan. 6, 2003

BOX TTAB – NO FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re : Trademark Application of Denver Mattress Co., LLC
Serial No. : 78/118,666
Filed : April 1, 2002
Mark : SUMMIT

Docket No. 897685

**REQUEST UNDER RULE 2.102 TO EXTEND
TIME FOR FILING NOTICE OF OPPOSITION
WITH CONSENT**

Commissioner Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Commissioner:

In the matter of the above-identified application which was published in the Official Gazette of October 8, 2002, on page TM 505, Summit Mattress Company requests that the time for filing a Notice of Opposition to the above application be extended for a further period of sixty (60) days, up to and including **MARCH 7, 2003**. Summit Mattress Company previously filed a request to extend time to oppose up to and including January 6, 2003.

The extension of time is sought in good faith, for good cause and not for any improper purpose of delay, to permit Summit Mattress Company to determine if an opposition is necessary. The attorney for Applicant has consented by telephone to this Extension. This Request is submitted in triplicate.

Respectfully submitted,
BALLARD SPAHR ANDREWS & INGERSOLL, LLP

Dated: January 6, 2003

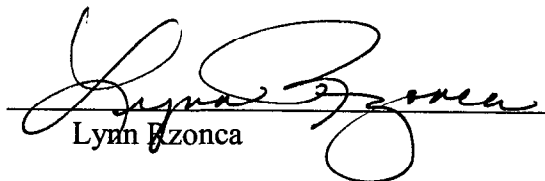
By: *Lynn E. Bzonca*
Lynn E. Bzonca
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Philadelphia, PA 19103-7599
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ATTORNEY FOR POTENTIAL OPPOSER

Certificate of Service

I, Lynn Rzonca, an attorney, hereby certify that a copy of the foregoing REQUEST UNDER RULE 2.102 TO EXTEND TIME FOR FILING NOTICE OF OPPOSITION WITH CONSENT was today served on the attorney for Applicant at the following address, via facsimile transmission and via U.S. first class mail service, postage prepaid:

Ian Saffer, Esquire
Townsend and Townsend and Crew LLP
1200 Seventeenth Street
Suite 2700
Denver, CO 80202.


Lynn Rzonca

Dated: January 6, 2003